

Dated: December 28, 1994.

David J. Kling,

Acting Director, Office of Pollution Prevention and Toxics.

[FR Doc. 95-252 Filed 1-4-95; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 94-136, FCC 94-298]

AGENCY: Federal Communications Commission.

ACTION: Notice of Hearing Designation Order.

SUMMARY: Cellular application of Ellis Thompson Corporation (Thompson) is designated for hearing. The Commission has determined that a substantial and material question of fact exists as to whether American Cellular Network Corporation (Amcell) is a real-party-in-interest in Thompson's application. The hearing will examine the relationship between Thompson and Amcell and determine whether Thompson has the requisite character qualifications necessary to hold the cellular license for Frequency Block A in Market 134, Atlantic City, New Jersey.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Joseph Weber, Mobile Services Division, Common Carrier Bureau (202) 418-1300.

SUPPLEMENTARY INFORMATION: This is a summary of Memorandum Opinion and Order and Hearing Designation Order in CC Docket 94-136, adopted November 18, 1994, and released November 28, 1994.

The full text of Commission decisions are available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, NW., Suite 140, Washington, D.C. 20037, (202) 857-3800.

Summary of Memorandum Opinion and Order and Hearing Designation Order

The Commission has designated for hearing the application of Ellis Thompson Corporation for facilities in the Domestic Public Cellular Radio Telecommunications Service on Frequency Block A in Market No. 134, Atlantic City, New Jersey. The Commission found that the evidence in

the case disclosed a pattern of circumstances raising a substantial and material question of fact as to whether Thompson permitted American Cellular Network Corporation (Amcell) to become a real-party-in-interest in its application. Those circumstances included: (1) Amcell's status as the prospective purchaser of the system; (2) the failure of Thompson to receive profits; (3) Amcell's substantial financial exposure; (4) Amcell's specific assumption of control over litigation related to its management; (5) Amcell's broad management responsibilities under a long-term agreement; and (6) the consolidation of the facilities and staff of the Atlantic City system and Amcell's operations in adjacent areas.

Because the Commission believes that a substantial and material question of fact exists about the relationship between Thompson and Amcell, it has designated an issue for hearing to determine whether Amcell is a real-party-in-interest in Thompson's application. The hearing will also determine, based upon the evidence, whether Thompson has the necessary qualifications to hold the license for Block A in Market No. 134, Atlantic City, New Jersey.

Pursuant to Section 309(e) of the Communications Act of 1934, as amended, Thompson's application has been designated for hearing upon the following issue listed below:

To determine whether American Cellular Network Corporation is a real-party-in-interest in the application of Ellis Thompson Corporation for a cellular radio system on frequency Block A in Atlantic City, New Jersey and, if so, the effect thereof on Ellis Thompson corporation's qualifications to be a Commission licensee.

The Commission further noted that the applicant and parties to this proceeding may avail themselves of an opportunity to be heard by filing written notices of appearance under 47 CFR 1.221(c), within 20 days of the mailing of this order by the Secretary of the Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-211 Filed 1-4-95; 8:45 am]

BILLING CODE 6712-01-M

[Report No. 2049]

Petition for Reconsideration and Clarification of Actions in Rulemaking Proceedings

December 30, 1994

Petition for reconsideration have been filed in the Commission rulemaking

proceedings listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of these documents are available for viewing and copying in Room 239, 1919 M Street, NW., Washington, DC or may be purchased from the Commission's copy contractor ITS, Inc. (202) 857-3800. Opposition to these petitions must be filed January 20, 1995. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject:

Implementation of Sections 3(n) and 332 of the Communications Act. (GN Docket No. 93-252)

Regulatory Treatment of Mobile Services.

Amendment of Part 90 of the Commission's Rules To Facilitate Future Development of SMR System in the 800 MHz Frequency Band. (PR Doc. No. 93-144)

Amendment of Parts 2 and 90 of the Commission's Rules To Provide for the Use of 200 Channels Outside the Designated Filing Areas in the 896-901 MHz and 935-940 MHz Band Allotted to the Specialized Mobile Radio Pool. (PR Doc. No. 89-553)

Number of Petitions filed: 16.

Subject:

Revision of Part 22 of the Commission's Rules Governing the Public Mobile Services. (CC Docket No. 92-115)

Amendment of Part 22 of the Commission's Rules to Delete Section 22.119 and Permit the Concurrent Use of Transmitters in Common Carrier and Non-Common Carrier Service. (CC Docket No. 94-46, RM-8367)

Amendment of Part 22 of the Commission's Rules Pertaining to Power Limits for Paging Stations Operating in the 931 MHz Band in the Public Land Mobile Service. (CC Docket No. 93-116)

Number of Petitions filed: 36.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-212 Filed 1-4-95; 8:45 am]

BILLING CODE 6712-01-M

**FEDERAL EMERGENCY
MANAGEMENT AGENCY****[FEMA-1043-DR]****Florida; Amendment to Notice of a
Major Disaster Declaration****AGENCY:** Federal Emergency
Management Agency (FEMA).**ACTION:** Notice.**SUMMARY:** This notice amends the notice of a major disaster for the State of Florida (FEMA-1043-DR), dated November 28, 1994, and related determinations.**EFFECTIVE DATE:** December 28, 1994.**FOR FURTHER INFORMATION CONTACT:** Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.**SUPPLEMENTARY INFORMATION:** The notice of a major disaster for the State of Florida dated November 28, 1994, is hereby amended to include the following area among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of Florida:

Brevard County for Individual Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Richard W. Krimm,*Associate Director, Response and Recovery Directorate.*

[FR Doc. 95-206 Filed 1-4-95; 8:45 am]

BILLING CODE 6718-02-M**FEDERAL MARITIME COMMISSION****Notice of Agreement(s) Filed**

The Federal Maritime Commission hereby gives notice that the following agreement(s) has been filed with the Commission pursuant to section 15 of the Shipping Act, 1916, and section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, D.C. Office of the Federal Maritime Commission, 800 North Capitol Street, N.W., 9th Floor. Interested parties may submit protests or comments on each agreement to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments and protests are found in § 560.602 and/or 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this

section before communicating with the Commission regarding a pending agreement.

Any person filing a comment or protest with the Commission shall, at the same time, deliver a copy of that document to the person filing the agreement at the address shown below.

Agreement No.: 224-200686-001.

Title: Lakes Charles Harbor & Terminal District/Lake Charles Stevedores, Inc. Terminal Agreement.

Parties:

Lake Charles Harbor & Terminal District

Lake Charles Stevedores, Inc.

Filing Agent:

Michael K. Dees, Esquire

McHale, Bufkin & Dees, PLC

1901 Oak Park Blvd.

Lake Charles, LA 70601-8991

Synopsis: The proposed modification amends the Contract Equipment; Maintenance, etc., provision and restates the Agreement.

Dated: December 30, 1994.

By Order of the Federal Maritime Commission.

Joseph C. Polking,*Secretary.*

[FR Doc. 95-257 Filed 1-4-95; 8:45 am]

BILLING CODE 6730-01-M**Notice of Agreement(s) Filed**

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC. Office of the Federal Maritime Commission, 800 North Capitol Street, N.W., 9th Floor. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC. 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 232-011485.

Title: Caribbean K Line/SeaFreight Space Charter and Sailing Agreement.

Parties:

Caribbean K Line Ltd. ("Caribbean K")

SeaFreight Line Ltd. ("SeaFreight")

Synopsis: The proposed Agreement permits Caribbean K to charter space from SeaFreight. It also permits the parties to

rationalize sailings in the trade between U.S. Atlantic and Gulf Coasts ports and points and ports and points in Aruba, Bonaire and Curacao. The parties have required a shortened review period.

Agreement No.: 224-004161-009.

Title: Nonexclusive Management Agreement between Marine Terminals Corporation and San Francisco Port Commission.

Parties:

Marine Terminals Corporation
San Francisco Port Commission

Synopsis: The proposed amendment extends the term of the Agreement through March 31, 1995.

Agreement No.: 224-010600-003.

Title: Port of New Orleans/Ceres Gulf, Inc. for the Lease of Jourdan Road Terminal.

Parties:

Port of New Orleans
Ceres Gulf, Inc.

Synopsis: The proposed amendment replaces a former lease agreement between the Board of Commissioners of the Port of New Orleans and Ceres Gulf, Inc.

Agreement No.: 224-200355-001.

Title: Port of San Francisco/Flota Mercante Grancolombiana S.A. Terminal Agreement.

Parties:

Port of San Francisco
Flota Mercante Grancolombiana S.A.

Synopsis: The proposed amendment extends the current contract term in exchange for consideration of the combined container cargoes of Serpac, FMC Agreement No. 203-011298, for the purposes of compensation to the Port.

Agreement No.: 224-200375-002.

Title: Port of San Francisco/Naviera Interamericana Navicana S.A./Columbus Line Terminal Agreement.

Parties:

Port of San Francisco
Naviera Interamericana Navicana S.A.
("Navicana") Columbus Line

Synopsis: The proposed amendment permits Navicana to assign its rights, title and interests in the Agreement to Columbus Line.

Agreement No.: 224-200375-003.

Title: Port of San Francisco/Columbus Line Terminal Agreement.

Parties:

Port of San Francisco ("Port")
Columbus Line

Synopsis: The proposed amendment extends the current contract term in exchange for consideration of the combined container cargoes of Serpac, FMC Agreement No. 203-011298, for the purposes of compensation to the Port.